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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the patent application of:)
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Teun Sleurink)
)
Title: Method Of Feeding Choline) Art Unit 1617
)
Serial No. 10/826,627) Examiner: Umamaheswari Ramachandran
)
Filed April 16, 2004)

INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.133(b) and M.P.E.P. § 713.04, the Applicant's attorney provides this summary of his telephonic interview with the Examiner, Umamaheswari Ramachandran, and the Supervisory Patent Examiner, Sreeni Padmanabhan, that occurred on August 22, 2007.

The three parties first discussed the prior art of record that teaches that choline compounds are excessively degraded in the rumen of ruminant animals. See, for example, the first paragraph of the "Introduction" in the Deuchler article; Col. 1, lines 37 to 41, of Blagdon et al., U.S. Pat. No. 5,496,571; and Col. 1, lines 40 to 44, of Miller, U.S. Pat. No. 6,106,871.

Possibly contrary to this is the suggestion in Ghyczy, German Pat. No. 102 24 240 that choline compounds can pass through the rumen in sufficient amount to have a beneficial effect, but only if combined with two other components. See, for example, paragraph [0014].

The three parties then discussed the claimed invention of adding non-encapsulated choline to the drinking water of ruminants to enable most of the choline to bypass the rumen without degradation.

Based on the teaching of the prior art and the lack of any working examples, the Examiner and Supervisory Examiner raised the issue of enablement. More specifically, they believe the Applicant needs to provide some proof that the claimed method actually works.

The three parties also discussed the issue of whether claim 1 reads on the method disclosed in Ghyczy because of the "comprising" transitional phrase. The Applicant's attorney discussed amending claim 1 to recite that the drinking water consists essentially of choline and water or consists essentially of choline, water, and at least one vitamin or mineral.

The Examiner and Supervisory Examiner then mentioned the possibility that combining choline with a vitamin or mineral might result in encapsulation.

The Applicant's attorney said he would consider submitting an Amendment to amend claim 1 as discussed above along with a Rule 132 Declaration to address the enablement and encapsulation issues. The Examiner and Supervisory Examiner said they would consider the Amendment and Declaration.

Respectfully submitted,

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CERTIFICATE OF MAILING

Philip L. Bateman certifies that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 22, 2007.

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